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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/779,782

02/08/2001

Frank Venegas JR.

IDS-14502/14

6741

25006

7590

08/21/2009

GIFFORD, KRASS, SPRINKLE, ANDERSON & CITKOWSKI, P.C

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EXAMINER

CANFIELD, ROBERT

ART UNIT

PAPER NUMBER

3600

MAIL DATE

DELIVERY MODE

08/21/2009

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

**Advisory Action**  
**After the Filing of an Appeal Brief**

Application No.

09/779,782

Examiner

ROBERT J. CANFIELD

Applicant(s)

VENEGAS, FRANK

Art Unit

3600

**--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

The reply filed 08/14/07 is acknowledged.

1. ☐ The reply filed on or after the date of filing of an appeal brief, but prior to a final decision by the Board of Patent Appeals and Interferences, will not be entered because:

a. ☐ The amendment is not limited to canceling claims (where the cancellation does not affect the scope of any other pending claims) or rewriting dependent claims into independent form (no limitation of a dependent claim can be excluded in rewriting that claim). See 37 CFR 41.33(b) and (c).

b. ☐ The affidavit or other evidence is not timely filed before the filing of an appeal brief.  
See 37 CFR 41.33(d)(2).

2. ☐ The reply is not entered because it was not filed within the two month time period set forth in 37 CFR 41.39(b), 41.50(a)(2), or 41.50(b) (whichever is appropriate). Extensions of time under 37 CFR 1.136(a) are not available.

Note: This paragraph is for a reply filed in response to one of the following: (a) an examiner's answer that includes a new ground of rejection (37 CFR 41.39(a)(2)); (b) a supplemental examiner's answer written in response to a remand by the Board of Patent Appeals and Interferences for further consideration of rejection (37 CFR 41.50(a)(2)); or (c) a Board of Patent Appeals and Interferences decision that includes a new ground of rejection (37 CFR 41.50(b)).

3. ☒ The reply is entered. An explanation of the status of the claims after entry is below or attached.

4. ☒ Other: Upon further consideration the amendment filed after Final and with the Appeal Brief on 08/14/2007 is entered as it presents the rejected claims in better form for consideration andt has done nothing other than comply with requirements of form expressly set forth in the Final rejection mailed 02/14/07.

/Robert J Canfield/  
Supervisory Patent Examiner, Art Unit 3635

Robert J Canfield  
SPE  
Art Unit: 3635